Express Mail Label No.: EV781048084US Date of Deposit: January 31, 2006

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Attorney Docket Number: 27353-514-US1

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

KOOPMANN AND BLACKBURN

SERIAL NUMBER:

10/532,787

INTERNATIONAL APPLICATION NUMBER:

PCT/IB03/05427

I.A. FILING DATE:

10/27/2003

PRIORITY DATE:

10/25/2002

**EXAMINER:** 

NOT YET ASSIGNED

ART UNIT:

1744

CONFIRMATION NUMBER:

3797

For:

**ENZYME ARRAY AND ASSAY** 

### MAIL STOP PCT

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

### **TRANSMITTAL**

Transmitted herewith for filing in the present application are the following documents:

- 1. Copy of Notification of Missing Requirements Under 35 U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US), Form PCT/DO/EO/905 (2 pages);
- 2. Response to Notification of Missing Requirements Under 35 U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US), Form PCT/DO/EO/905 (1 page);
- 3. Combined Declaration and Power of Attorney, two counterparts (5 pages);
- 4. Check Number 3017 in the amount of \$65.00 to cover the surcharge;
- 5. Paper Copy of Sequence Listing (5 pages);
- 6. Computer Readable Form Copy of Sequence Listing (1 diskette);
- 7. Statement in Support of Sequence Listing Submission (1 page);
- 8. Preliminary Amendment to Accompany Sequence Listing; and
- 9. Return Postcard.

Although Applicants believe that no additional fees are due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Customer Number: 35437, Reference No. 27353-514-US1. A duplicate copy of this transmittal letter is enclosed.

02/06/2006 MKAYPAGH 00000051 10532787

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65.00 OP

Date: January 31, 2006

Respectfully submitted,

. Ivor R. Elrifi, Reg. No. 39,529

Flora W. Feng, Reg. No. 51,673

( ) -( ) MINTZ, LEVIN, COHN, FERRIS, et al.

Attorneys for Applicants 666 Third Avenue, 24<sup>th</sup> Floor New York, NY 10017

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## United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.unpto.gov

U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY. DOCKET NO. 10/532,787 Jens-Oliver Koopmann 27353-514-US1 INTERNATIONAL APPLICATION NO. PCT/IB03/05427 35437 I.A. FILING DATE PRIORITY DATE MINTZ LEVIN COHN FERRIS GLOVSKY & POPĘO 10/27/2003 10/25/2002 666 THIRD AVENUE Done By NEW YORK, NY 10017 ☐ File Folder **CONFIRMATION NO. 3797** ☐ Data Entry **371 FORMALITIES LETTER ID/Docket Entry** Docket Cross Off □ Previously Entered \*OC000000017568795\* ☐ No Docketing Reg ☐ Order Copies Date Mailed: 12/02/2005 □ Annuities

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/25/2005
- Copy of the International Search Report filed on 04/25/2005
- Copy of IPE Report filed on 04/25/2005
- Preliminary Amendments filed on 04/25/2005
- Biochemical Sequence Diskette filed on 04/25/2005
- Biochemical Sequence Listing filed on 04/25/2005
- Request for Immediate Examination filed on 04/25/2005
- U.S. Basic National Fees filed on 04/25/2005
- Priority Documents filed on 04/25/2005
- Specification filed on 04/25/2005
- Claims filed on 04/25/2005
- Drawings filed on 04/25/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath
  or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the
  missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.
  - The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/532,787	PCT/IB03/05427	27353-514-US1

FORM PCT/DO/EO/905 (371 Formalities Notice)

Express Mail Label No.: EV781048084US

Date of Deposit: January 31, 2006 Attorney Docket Number: 27353-514-US1

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FOR: ENZYME ARRAY AND ASSAY

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## RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

In response to the Notification of Missing Requirements Under 35 U.S.C. §371 dated December 2, 2005, Applicants submit herewith a copy of the Notification of Missing Requirements Under U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US), Form PCT/DO/EO/905; an executed Combined Declaration and Power of Attorney for Patent Application (two counterparts, 5 pages); Check No. 3017 in the amount of \$65.00 (Small Entity) in payment of the surcharge thereof; paper copy of the Sequence Listing; Computer Readable Form Copy of the Sequence Listing; Statement of Support of Computer Readable Form Submission; and a Preliminary Amendment to Accompany Sequence Listing. This Response is due on or before February 2, 2006 with no extensions.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 50-0311, Customer Number: 35437, Reference No. 27353-514-US1.

Respectfully submitted,

Date: January 31, 2006

Ivon R. Elrifi, Reg. (No. 39,52) Flora W. Feng, Reg. No. 51,673

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